

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-3345-2024
Date of decision: 15.02.2024

Roshal Lal and another
Versus
...Petitioners

State of Punjab and Others
...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Sunny Singla, Advocate for the petitioner.

AMAN CHAUDHARY. J.

1. The present Civil Writ Petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to permit the petitioners to exercise option in the new revised pay scale, in view of the changed circumstances and by the change in Master Scale vide Notification issued on 24.12.1992 w.e.f. 01.01.1993, Annexure P-1.
2. Learned counsel would submits that a direction is being sought to permit petitioners to exercise option in the new revised pay scale in view of the changed circumstances and in Master Scale and released the arrears of revised pay and pension, gratuity as has been granted to the similarly situated employees in CWP-17954-2012, decided on 12.09.2012 and in terms of CWP-7855-2014, decided on 17.12.2018. In this regard, a legal notice dated 22.09.2023, Annexure P-6, has been submitted by them, which has yet not evoked any response. He thus, at this stage, on instructions, submits that the petitioners are sanguine of it being considered in a positive manner, in case, a direction is given to the respondents to decide the same in a time bound manner by granting him an opportunity of hearing.

3. Notice of motion.
4. At the asking of the Court, Mr. Manipal Singh Atwal, DAG, Punjab accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.
5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to respondents to consider a legal notice dated 22.09.2023, Annexure P-6 and decide the same keeping in view the facts as stated on behalf of the petitioners and taking note of the orders passed in the cases of similarly situated employees, within a period of four months and if found entitled, necessary benefit be granted to them forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating the petitioners therewith.

(AMAN CHAUDHARY)
JUDGE

15.02.2024
Hemant

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No